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Mr. Abdul Hamid Khan :—" The hon. the Law Member says that there is a large body of opinion in favour of both. May I know on what basis the Government appointed the particular person ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" Government have taken all facts into consideration and come to the conclusion to the best of their lights."

Mr. Abdul Hamid Khan :—" What are the lights ? There is only one light ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" By consultation."

Mr. S. Satyamurti :—" I want to know whether the Government really took the opinions of these people in appointing either the one or the other ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" Yes."

Mr. S. Satyamurti :—" In favour of both ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" In favour of the particular individual."

Mr. S. Satyamurti :—" On whose opinions ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" On the opinion of the persons consulted."

Mr. S. Satyamurti :—" Who are in favour of both ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" You must ask the Collector for that." (An hon. Member : ' We must ask the Government.')

The hon. the President :—" It will be very convenient to the House if the Member puts the supplementary question after I mention his name."

Mr. Basheer Ahmad Sayeed :—" May I know, Sir, if the order has not been cancelled, what was the special reason for the Government to follow a special procedure in this case except it be at the instance of the hon. the Home Member whose election agent was the nominee of the Government ? " 11-45 a.m.

The hon. Diwan Bahadur M. Krishnan Nayar :—" I deny the allegation made by my hon. Friend, Mr. Basheer Ahmad."

Mr. Basheer Ahmad Sayeed :—" On what basis, Sir ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" I asked the hon. the Home Member himself. He has denied it."

Mr. Basheer Ahmad Sayeed :—" May I ask the hon. the Home Member himself to deny it on the floor of this House, Sir ? "

Resolutions and memorials recommending the appointment of Habib-ul-la as the Kazi of Madras.

*481 Q.—Mr. Abdul Hamid Khan : Will the hon. the Law Member be pleased to state—

(*a*) the number of public meetings, resolutions of which were communicated to the Government in support of Moulvi Mufthy Haji Habib-ul-la and the places where each of such meetings was held (1) in the City, (2) in the mufassal ;

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(*b*) whether the Government received petitions from the prominent Muslim citizens of Madras appealing to the Government to appoint Moulvi Habib-ul-la alone as the Kazi of Madras;

(*c*) whether the said petitions have been signed by eight Muslim members of the local Legislative Council;

(*d*) whether the Government received a mass memorial signed by the Muslim public appealing to the Government to appoint Moulvi Habib-ul-la and, if so, how many have signed the same;

(*e*) whether the Government received resolutions passed at public meetings questioning the genuineness of signature in mahazars sent on behalf of Mr. Fasi-ud-din and praying for a public enquiry; and

(*f*) whether the Government have taken any steps to hold an enquiry, and if not, why not?

A.—(*a*) to (*f*) Resolutions regarding the appointment of a Kazi passed at certain public meetings held in the City and in the mufassal were received by the Government from time to time. A number of memorials urging the appointment of Moulvi Haji Muhammad Habib-ul-la Sahib Bahadur were also received. The Government have not thought it necessary to maintain a list of these representations.

Mr. G. HARISARVOTTAMA RAO:—"The Government say that they have received resolutions from various people not only in the city but from all over the province in favour of Haji Habib-ul-la Sahib. Did the Government also receive representations of this nature in favour of the man they have appointed?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Oh, yes. Many representations."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the Government have weighed them?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes."

Mr. K. UPPI SAHIB:—"Did the hon. the Law Member consider the opinion of the Members of the Legislative Council and the opinion of the Muslim public?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"There are as many respectable persons outside the Council as there are in the Council."

Mr. ABDUL HAMID KHAN:—"May I know whether he is not aware of the fact that at least a very large majority out of the 13 Muslim Members of this House are in favour of the gentleman in whose favour representations were made and not in favour of the man whom the Government have appointed under the advice of the Muslim Member of the Cabinet?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"If my hon. Friend makes that statement, I will accept it as correct."

Mr. ABDUL HAMID KHAN:—"I ask whether the Government is not aware of it."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"The Government have not scrutinized the nature and qualifications of the signatories to the various memorials."

Mr. ABDUL HAMID KHAN :—"May I know whether the Government did not know that there are ten members of this Council who are in favour of the appointment that was not made?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"In fact, there were many signatories to the memorials. They did not scrutinize the signatures in the memorials."

Mr. P. C. VENKATAPATI RAJU :—"Apart from the Muslim Members of this Council being as much respectable as others outside the Council, does not the Government know that they are representatives of the Muslim community?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"They are representatives of certain portions of the Muhammadan community."

Alleged deputation to His Excellency the Governor of Madras regarding the appointment of the Kazi of Madras.

*482 Q.—Mr. ABDUL HAMID KHAN: Will the hon. the Law Member be pleased to state—

(a) what was the Collector's report as to the fittest person for the office of the Kazi of Madras;

(b) whether a deputation of leading Muslims waited on His Excellency the Governor and the hon. the Law Member in connexion with the appointment of the Kazi and, if so, what their representation was;

(c) whether the said deputation declared that Moulvi Haji Habib-ul-la was the fittest person for the place; and

(d) whether any deputation waited upon His Excellency the Governor or the hon. the Law Member requesting the appointment of Mr. Fasi-ud-din?

A.—(a) The Government do not propose to publish the report of the Collector on the subject.

(b) & (c) A deputation of a certain section of the Muhammadans of Madras waited on His Excellency the Governor on the 9th January 1928. The hon. Sir C. P. Ramaswami Ayyar was also present when the deputation was received by His Excellency. The deputation urged that there should be only one Kazi for the whole of Madras entitled to give fatwas or decisions on religious and secular matters affecting Muhammadans and that Moulvi Haji Habib-ul-la was the fittest person to be the Kazi.

(d) No.

Mr. ABDUL HAMID KHAN :—"May I know from the hon. the Law Member whether there was any deputation in favour of the gentleman whom they have appointed?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"There was no deputation."

Mr. ABDUL HAMID KHAN :—"May I know what the Government did after receiving the deputation in favour of Haji Habib-ul-la Sahib?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"The opinion of a deputation is not the sole basis on which appointments are made."